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JUL 28 2009

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of: **Yasuyuki HIGASHIURA et al.**

Group Art Unit: 2132

Serial No.: **10/767,842**

Examiner: **Jung W. Kim**

Filed: **January 30, 2004**

P.T.O. Confirmation No.: **4101**

Docket: **040033**

Date: **July 28, 2009**

For: **ELECTRONIC DATA STORAGE SYSTEM
AND METHOD THEREOF**

AMENDMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This paper is in response to the non-final Office Action dated April 28, 2009. No fee is due. However, this paper is a petition for an appropriate extension of time if needed. Please charge the fee needed for such an extension of time, and any other fees which may be needed to enter this paper, to Deposit Account No. 01-2340.

The Examiner is thanked for consideration of the Applicants' arguments, the allowance of claims 1, 2, and 6-10, and for properly making the new rejection non-final.

The Examiner is also thanked for the telephone conersation of July 24, 2009. During this conversation, the status of § 101 rejections was discussed and the Examiner made recommendations for overcoming the rejection under § 101, which are now incorporated into the claims. Amendments to the Claims begin on page 2 of this paper. This listing of claims will replace all prior listings of claims in the application:

Remarks/Arguments begin on page 8 of this paper.